

DECLARATION OF SANDRA STONE

I, Sandra Stone, under oath, states as follows:

1. I am over eighteen (18) years of age and am competent to give the following testimony based on my own personal knowledge.

2. I am employed by Baptist Memorial Hospital-DeSoto, Inc. as its Director of Health Information Management and have served in this position since approximately April 2003. The hospital is located at 7601 Southcrest Parkway, Southaven, Mississippi 38671. All of the non-exempt employees in my Department report to either to the Manager of Health Information Management or the Coding Supervisor.

3. Baptist Memorial Hospital-DeSoto, Inc. has established policies and procedures that have been communicated to employees to ensure that employees are paid for all hours worked. In my role as Director of Health Information Management, senior leadership has communicated to me that employees are to be paid for all hours worked and this is a well established policy and practice at Baptist Memorial Hospital-DeSoto, Inc.

4. Non-exempt employees in my Department have a 30 minute meal period deducted from each shift that is at least six hours. On many occasions during departmental meetings, I have stressed to employees the importance of taking a 30 minute uninterrupted meal period. In fact, I encourage employees to leave their workstations so they will not be interrupted during their meal periods.

5. All non-exempt employees in my Department use a lunch log to document if they did not take a meal period each day. The lunch log is for the whole department

and it provides each non exempt employee a space to indicate for each day if the employee did not take a lunch. Some employees use the lunch log to document the time that the employee actually took lunch, but employees are not required to indicate the time that they went to lunch. However, employees are required to document if they did not take a lunch. I have specifically instructed management and all non-exempt employees in Health Information Management to document in the lunch log if they are unable to take a 30 minute uninterrupted meal period so they will be properly compensated for all hours worked. Newly hired employees are trained about how to document a missed meal period in the lunch log during departmental orientation.

6. If a non exempt employee leaves the premises during the employee's meal period, the employee badges in and out for the time the employee is off premises taking the meal period and enters into the lunch log the letters "GB" indicating "give back". This notifies management that the automatic meal deduction should not be made for that day when payroll is being prepared since the automatic meal deduction is not applicable when the employee actually badges in and out for a meal period.

7. Before payroll is processed each pay period and as a safeguard to making sure employees are properly compensated for all hours worked, the Manager of Health Information Management or the Coding Supervisor provide each employee with a copy of the hours covered by the pay period. All employees are asked to review the time record for the pay period to make sure the hours accurately reflect all the time that they worked and account for any personal time off (PTO) used. If the hours are not correct, I have instructed management to correct any mistakes before the time records are submitted to me for approval. It is not until I have been informed by management that

the time record has been approved by the employee that I will approve the time record for payment.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing declaration consisting of this and two other pages is true and correct.

Sandra Stone

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Executed on this the 28th day of November, 2008.